THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.26559 of 2005

Date:13.12.2005

O.Kumara Swamy.

--------PETITIONER

The Transmission Corporation of A.P., Limited and others.

---------RESPONDENTS

ORDER:

The petitioner was working as an Upper Divisional Clerk in the Office of the 2nd respondent. In January 2004, he was posted in one of the Offices of the Transmission Corporation of A.P.Limited, 1st respondent herein, on deputation. It is stated that the option of the petitioner was called for, as to whether he intends to be absorbed in the service of the 1st respondent or he would like to continue in the service of the 2nd respondent. The petitioner is stated to have opted for the first course of action. Before the decision could be taken on the option exercised by the petitioner, he was recalled to the 2nd respondent. Thereafter, the 1st respondent passed an order, dated 23.08.2005, accepting the option of the petitioner and taking him into its service. The grievance of the petitioner is that the corresponding orders have not been passed by the 2nd respondent so far. He claims to have made a representation, dated 25.11.2005, to the 1st respondent and stated that no action has been taken thereon.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

The petitioner was required to exercise an option, as to his continuance in the service of the 2nd respondent or being absorbed into the service of the 1st respondent. The option of the petitioner to be absorbed into the service of the 1st respondent was accepted. Once the 1st respondent has accepted the option of the petitioner, corresponding orders relieving him need to be passed by the 2nd respondent. For this purpose, the petitioner has to make his representation to the 2nd respondent. However, he made representation to the 1st respondent.

Therefore, the writ petition is disposed of, leaving it open to the petitioner to make his representation to the 2nd respondent, for the purpose of implementation of the orders, dated 23.08.2005, passed by the 1st respondent, and on receiving such representation, the 2nd respondent shall pass appropriate orders, within a period of four weeks from the date of receipt of such represenation. There shall be no order as to costs.

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13.12.2005

Note: Issue C.C. in three days.

(B/o)

Jsu